

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9363 of 2023

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Mridula Sahay Wife of Late Dr. Chandra Bhusan, Resident of B/170, Second Floor P.C. Colony, P.S.- Lohiyanagar, Kankarbagh, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Department of Health and Family Welfare, Government of Bihar, Patna.
2. The Deputy Secretary, Department of Health and Family Welfare Government of Bihar, Patna.
3. The Regional Deputy Director, Health Services, Patna.
4. The Chief Medical Officer cum Civil Surgeon, Kishanganj.
5. The Accountant General, Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Mritunjay Kumar, Advocate
For the Respondent/s	:	Ms. Vijaya Laxmi Srivastava, AC to SC 23
For the AG	:	Ms. Nivedita Nirvikar, Sr. Advocate
		Mr. Amarshakti, Advocate

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

4 24-07-2026 Heard learned counsel appearing on behalf of the petitioner and learned counsel for the respondents.

2. The petitioner in paragraph no. 1 of the present writ petition has sought, *inter alia*, the following relief(s), which is reproduced hereinafter:-

“(I) For issuance of an appropriate order, direction, writ in the nature of Writ of Mandamus directing the concerned respondent to make payment of following dues of deceased husband of petitioner to the petitioner with statutory interest:-

a) Admitted retirement benefit dues specifically the amount of provident fund which has not been paid fully rather only part amount has been paid till date.

b) Arrears of difference of salary of deceased after making pay fixation subsequent to grant of benefit of 3rd dynamic ACP (Assured Career Progression) vide notification dated 23.03.2017 bearing number Gyapank 18/Pro 0 Ko/D.A.C.P./01-01-/2016-40 (Pro.Ko/Swa), Patna.

c) Arrears of difference of salary of deceased



after making pay fixation subsequent to grant of benefit of 4th dynamic ACP (Assured Career Progression) vide notification dated 12.09.2020 bearing number Gayapank 18/Pro 0 Ko/D/a.c.p./01-01/2019 (Pro. Ko./Swa), Patna, with effect from 29.10.2008.

d) Difference of arrear of family pension of the petitioner.”

3. The petitioner has failed to file rejoinder to the counter affidavit filed on behalf of the respondents no.1 and 2, which shows that she is satisfied by the action of the State, insofar as payment of retiral dues is concerned. Specific statement and information with respect to details of payment of retiral dues under different heads to the petitioner has been given in paragraphs no. 6 to 8 of the counter affidavit.

4. In view of the above information in the counter affidavit, the writ petition requires no further adjudication. However, if the petitioner still remains aggrieved for the non-payment of any retiral dues under any particular head, she, if so advised, may file a detailed representation before the Chief Medical Officer-cum-Civil Surgeon, who shall consider and dispose of the same in accordance with law.

5. The writ petition stands disposed of.

(Purnendu Singh, J)

Sanjay/-

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